

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIAMEACHUN SCOTT,  
Plaintiff,

v.

SMARTBIZ BANK, N.A., et al.,  
Defendants.Case No. [25-cv-04103-RS](#)**ORDER TO SHOW CAUSE**

Plaintiffs’ counsel, Devin H. Fok, has filed a motion seeking leave to withdraw. That the attorney-client relationship has broken down such that withdrawal likely is warranted is undisputable. Plaintiff has submitted documents entered on the court docket as “Motion to Reinstate Court Processings” and subsequent briefing, not through counsel. Attorney Fok’s status as attorney of record on the docket appears to have been terminated based on a phone call from plaintiff. An attorney of record, however, cannot be relieved of his or her responsibilities merely by a phone call to the court from the client. Thus, attorney Fok’s motion to withdraw is appropriate, and until and unless it is granted, plaintiff’s pro se requests for other relief cannot be addressed.

Attorney Fok’s motion asserts plaintiff Scott “ceased all communication with me as of November 24, 2025. I have emailed her, called, and left voice messages. To date, Ms. Scott has not responded to any of my requests for communication.” Plaintiff Scott, however, submitted copies of what purports to be her communications with Fok as late as November 30, 2025.

1 Scott purportedly wrote:

2 I take the previous email as you stepping down[.] Warmest regards.  
3 Ms Scott[.] I will report this to the law bar. Requesting your  
4 withdrawal[.] I really don't know who you are, but I know you have  
5 still show[n] no proof you contacted these people. Anybody can  
6 make they mouth say anything[.] that does not mean it is [so,] and so  
7 far you a have not proved anything or sent any evidence of make  
8 sure this is removed off my back ground[.]

9 Remove yourself off this case sir and send the  
10 withdraw letter[.] This my last request !!!

11 Fok apparently responded:

12 Yes, please take my previous email as me stepping  
13 down. Also, attached is the letter we sent out on your  
14 behalf previously. Good luck with your case. You  
15 should talk to your new firm about me. Most FCRA  
16 practitioners in this space should know who I am.

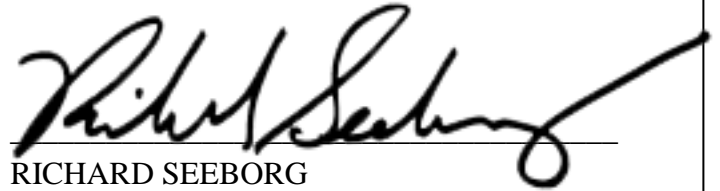
17 See Dkt. No. 30, ECF p. 30.

18 Within one week of the date of this order, Attorney Fok shall state his position as to  
19 whether the copies of the email correspondence dated November 30, 2025, are genuine. Unless  
20 Attorney Fok disputes the authenticity of those emails, he shall show cause as to why (1) he did  
21 not file a motion to withdraw until January 5, 2026, and (2) why he represented in that motion that  
22 he had no communication with plaintiff after November 24, 2025.

23 Consideration of plaintiff's pro se motion "Motion to Reinstate Court Processings," will be  
24 deferred pending a final decision on counsel's motion to withdraw, but will in any event be  
25 decided without oral argument, pursuant to Civil Local Rule 7-1(b).

**IT IS SO ORDERED.**

Dated: January 8, 2026



RICHARD SEEBORG  
Chief United States District Judge

United States District Court  
Northern District of California